

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : ANDERSEN

Serial No. : 09/804,980

For : M. TUBERCULOSIS ANTIGENS

Filing Date : March 13, 2000

Examiner : To Be Assigned

Art Unit : To Be Assigned



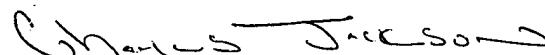
745 Fifth Avenue  
New York, NY 10151

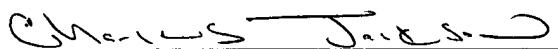
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Date of Deposit: March 13, 2002

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**OFFICE OF PETITIONS**

**PETITION UNDER 37 C.F.R. 1.137(b) TO REVIVE  
AN UNINTENTIONALLY ABANDONED APPLICATION**

Commissioner for Patents  
BOX DAC  
Washington, D.C. 20231

Sir:

This is a Petition under 37 C.F.R. 1.137(b) to revive the above-identified application which was unintentionally abandoned as a result of an incomplete response to the Notice to File Missing Parts of Non-provisional Application. Applicants became aware of the unintentional abandonment upon receipt of the December 28, 2001 Notice of Incomplete Reply.

Our original investigation into the matter determined that the Response to the Notice to File Missing Parts of Nonprovisional Application was filed without the required substitute drawings and statement that the sequence listing in computer readable form was identical to the written sequence listing and a copy of sequence listing in computer readable form was not submitted with the response. It was discovered upon receipt of the Notice of Incomplete reply that the outstanding requirements had not been filed and not entered onto the attorney docket sheet. The notice of incomplete reply was received after the date of abandonment of this application. This petition to revive has been prepared and filed without intentional delay. Applicants hereby petition for revival of this application.

Also enclosed is the requisite fee in the amount of \$1,240.00 as required by 37 CFR 1.17(m).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION:**

1. A check for \$1,240.00 for the petition fee for revival of this application accompanies this Petition.
2. The substitute drawings and sequence listing required by the Notice to File Missing Parts mailed April 13, 2001 is attached hereto in order to expedite the revival of this application and a check for the fee of \$130.00 accompanies this Petition.
3. Please charge any additional fees which may be incurred by reason of this Petition or credit any overpayment to Deposit Account No. 50-0320.
4. Verified Statement:  
The delay caused by the abandonment of this application was unintentional.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application, any patent issuing thereon, or any patent to which this verified statement is directed.

Applicant replies to the Notice of Incomplete Reply (Nonprovisional) of December 28, 2001 by submitting a communication in Response to the Notice of Incomplete Reply

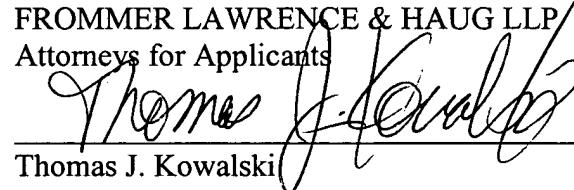
concurrently herewith, including fifteen (15) sheets of formal drawings, a statement of the content of the sequence listing and a copy of the sequence listing in computer readable form.

As a result of the new drawings submitted herewith, the Petition for revival of the unintentionally abandoned application, and the appropriate fees, it is respectfully requested that the above-identified application be revived, that this amendment be entered and that the instant application be found in condition for allowance.

The Assistant Commissioner is authorized to charge any deficiency or credit any overpayment in these fees to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

  
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